

**REMARKS**

In response to the Official Action of February 5, 2004, please consider the following remarks.

Claim 43 has been further amended to define the geometric relationships between the frame members and the opposing sides of the module. This amendment relates to the drawings and may further distinguish the pending claim.

The final rejection does not deal with the structure in the pending claims. Specifically claim 43 recites: "forming at least three substantially similar rectangular frame members and positioning the frame members vertically in an aligned row with a spacing between each adjacent pair of frame members." The prior art does not have such "at least three substantially similar rectangular frame members."

While Claim 43 as previously presented contained such structure not found in the cited prior art, the proposed amendment further refines such structure to emphasize that the prior art fails to show or suggest the method of this invention.

The rejection failed to show specifically where the claimed method features can be found in Payne and Bowers.

Turning to Payne, this shows a module which is formed by building a base frame shown in Figure 3 and then linking this to a roof as shown in Figure 8 by corner posts 128, 130, 132 and 134. Walls as illustrated in Figures 4 and 5 are then secured between the roof and base. This is a totally different method of construction which does not involve the features of the independent claim. In particular, and contrary to what the Examiner says in the paragraph headed Response to Arguments, the method of Payne does not involve forming at least three rectangular frames. The cross braces of the base and roof, e.g. 90 and 300, do not form rectangular frames with the posts of the sidewalls, e.g. 150, 200 because the ends of the cross braces are not connected to the ends of the posts. Instead, the ends are connected to the corner rails, e.g. 76, 286. Furthermore, the result of this is that loads are not uniformly distributed throughout the framework. Instead, loads will be concentrated in the corner posts because the cross braces and sidewall posts just act as braces as they are not directly connected together.

Thus, Payne does not disclose the claimed method, nor does it disclose the structure which results from the claimed method.

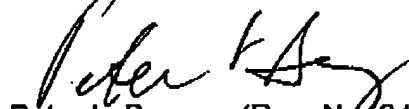
We have already commented extensively on Bowers and established that it quite clearly does not teach the claimed method.

In view of the above action and comments an early Notice of Allowance is sought.

This response is filed within two months of the Final Rejection, so that an advisory action should be issued before the passage of the three month period.

Respectfully submitted,

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**CLAIMS:**

43. (Amended) A method of constructing a building unit module having two pairs of opposing sides, a roof and a floor,

the method comprising forming at least three substantially similar rectangular frame members, positioning the frame members vertically in an aligned row one with the other with a spacing between each adjacent pair of frame members, each of said frame members having a plane formed by the sides of each of said members, each of said opposing sides also comprising planes, each of the planes of said frame members being substantially parallel to each other and perpendicular to the planes of said opposing sides, connecting a plurality of horizontal runners to the frame members with the horizontal runners parallel to each other, extending along one pair of said two pairs of sides with a spacing between each adjacent pair of runners to form a lattice framework, whereby loads on the module are distributed substantially equally throughout the framework, securing horizontal angle members to the internal corners of the lattice framework, and securing sheeting to the lattice framework via the runners so as to form an enclosure.

44. (Amended) A method as claimed in claim 43, wherein said enclosure has four external corners additionally comprising securing horizontal angle members to the four external corners of the lattice framework.

45. (Amended) A method as claimed in claim 43 wherein each frame member is formed by interconnecting four individual frame sections.

46. (Amended) A method unit module as claimed in claim 45 wherein each frame member is formed by welding joists of a C-shaped cross-section.

47. (Amended) A method as claimed in claim 43, further comprising connecting plural parallel cross runners extending widthwise to a rectangular frame member which is endmost.

48. (Amended) A method as claimed in claim 43 wherein the lattice framework is formed of light gauge steel.

49. (Amended) A method of forming a building comprising forming a plurality of modules by the method of claim 43, further comprising the steps of stacking the modules one atop the other and side by side and interconnecting the modules by connecting the lattice framework of each module to the lattice framework of each adjacent module.

50. (Amended) A method as claimed in claim 43, further comprising a plurality of horizontal runners connected to said short side.

51. (Amended) A method as claimed in claim 43, wherein one of said two pairs of sides is longer than the other of said two pair of sides.

52. (Amended) A method as claimed in claim 51, further comprising also connecting a plurality of horizontal cross runners to the shorter of said pairs of said two pairs of sides.

53. (Amended) A method as claimed in claim 43, wherein the spacing between adjacent pairs of rectangular frame member is substantially equal.

54. (Amended) A method as claimed in claim 43, wherein the spacing between sets of adjacent pairs of horizontal runners is substantially equal.

55. (Amended) A method as claimed in claim 43, wherein said method is practiced at a construction site.

56. (Amended) A method as claimed in claim 43, wherein said method is practiced at a factory for assembling prefabricated building unit modules.